

# infoNET

A publication of the Governor's DD Council & ID Action

## FUNDING REMAINS TIGHT IN UPCOMING YEAR

The Governor signed the \$5.3 billion budget into law on April 29 – find out what it means for your services.

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## Governor Signs Bills Into Law

With the end of the 30-day signature period, Governor Culver has closed the book on the 2010 legislative session.

In Iowa, the Governor has 30 days to sign or veto bills sent to him by legislators. April 29<sup>th</sup> was the final day the Governor had to sign bills into law. If he had not signed them, they would have automatically become law.

With the end of the 30-day signature/veto period, Governor Culver has closed the book on the 2010 legislative session. This year, the Legislature sent the Governor 196 bills and the Governor signed all but one of those bills (the one he vetoed dealt with judges).

You can view the final status and details of all bills tracked by *infoNET* by going to our online Bill Tracker at:  
<http://www.ialobby.com/CPCBillTracker/tabid/59/Default.aspx?cid=infoNET>.

The following are a few of the changes enacted by the Legislature and signed by the Governor this year:

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“First they ignore you, then they laugh at you, then they fight you, then you win.”

Gandhi

## Governor Signs Bills (continued from page 1)

- ✓ **State employees will now have a new autism insurance benefit** – their health insurance plans will now pay up to \$36,000 each year for the treatment and diagnosis of autism and autism spectrum disorders, including Applied Behavioral Analysis (SF 2531).
- ✓ **Veterans will now have full mental health coverage in their health insurance** – insurance plans covering veterans will now be required to pay for the diagnosis and treatment of all mental illnesses and substance use disorders. This only applies to veterans working for companies that employ more than 50 people. Iowa's current mental health mandate applies to all persons working for large companies, and only requires coverage of biologically based diseases (excluding combat related stress disorders) (SF 2201).
- ✓ **Veterans will also be represented on various state boards and commissions dealing with mental health**, including the Mental Health Planning & Advisory Council and the Mental Health and Disability Services Commission (which was renamed this year – previously the MH/MR/DD/BI Commission). (SF 2175)
- ✓ **Insurance companies will have to justify rate increases, give people more notice of changes to their policies, and disclose more information to the public.** The State Insurance Commissioner is granted more authority to review these rates and is required to hold public hearings when an insurer raises rates beyond a cost of living adjustment. The Insurance Commissioner is also charged with reviewing state health insurance mandates (like mental health parity) and determining the actual impact on rates. (SF 2201)
- ✓ **A task force that includes parents of children receiving special education services will review the delivery of special education services in the state.** The task force will look at all AEA services and give recommendations on ways to improve and streamline (save money) delivery. (SF 2376)
- ✓ **Children turning 21 during a school year will continue to be able to receive special education services until the end of the school year.** (SF 2291)
- ✓ **Teens will now be required to buckle up if they are in the back seat.** Current law only requires this for front seat passengers. There is an exception for persons who cannot use a seat belt because of a disability. This was supported by many organizations as one strategy to prevent brain injuries. (SF 2381)
- ✓ **Hospitals and mental health facilities will now have to let law enforcement know when a person who is being treated for mental illness or substance abuse is released if charges are pending.** This is in response to the murder of Applington – Parkersburg coach Ed Thomas. The young man convicted of the crime was just released from a Waterloo-area hospital. (SF 2352)
- ✓ **Curb cuts will now be required at all newly constructed or repaired intersections,** making sidewalks and paths accessible to all persons. The same bill also eliminates the requirement that service animals be trained at recognized training facilities. (SF 2202)
- ✓ **Language in Iowa's law books was updated, changing "mental retardation" to "intellectual disabilities."** In addition, the Intellectual Disabilities Medicaid Waiver was changed to require only an initial evaluation of a person to determine eligibility (and another if circumstances change). Right now these evaluations occur annually, whether or not circumstances have changed. Finally, the ID Waiver waiting list will be going statewide beginning July 1. DHS is required to figure out how to prioritize the allocation of slots and will convene a workgroup very soon to develop the criteria. (SF 2088 & HF 2526)
- ✓ **Families needing extra help in keeping a child with a disability in their own home will need to rely solely on Medicaid funding.** The Legislature ended all new admissions to

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## Governor (continued from page 2)

the Family Support Subsidy program, which provided flexible funds to families raising children with disabilities. Not all families on the program qualify for Medicaid waiver services. No one will lose their services – the program will continue to serve those currently in the program (but new families and those on the waiting list will no longer have this as an option). (SF 2088)

- ☑ **Supported Community Living (SCL) providers that transport persons with disabilities between work and home will now be reimbursed for this service.** Currently this reimbursement is allowed for other providers, but not SCL providers. Lawmakers hoped this would continue to encourage work activities for persons with disabilities. (SF 2088)
- ☑ **Persons with mental illness will have more limited access to the drugs they need.** Because of budget constraints, Medicaid will now only pay for up to a 72 hour supply of mental health drugs without prior authorization. This aligns state Medicaid laws with federal Medicare laws. Right now, doctors can prescribe up to a two-week supply of medication. (SF 2088)
- ☑ **Iowans covered by the state's IowaCare health program would no longer have to travel to Iowa City for basic care.** The IowaCare program provides health care to Iowans not eligible for Medicaid but earning less than 133% of the federal poverty level). Because resources are limited, expanded access would be phased in, starting with those living the furthest away from Iowa City. Primary care services would be provided closer to home, at one of the state's 15 community health centers. (SF 2356)
- ☑ **No mental health institutes will be closed, but the state will review the need for the Braille and Sight Saving School in Vinton.** Most of the services provided by the school are now

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## Session Stats

**1,508 bills and resolutions were introduced this session** - about 10 bills for every legislator (some states cap the number of bills a legislator is allowed to introduce).

**196 of those bills passed and were sent to the Governor.** Only 13% of the bills introduced this year made it through the entire legislative process and ended up on the Governor's desk. This number ranges from 10-15% every year. What makes a bill fall into the lucky 13%? People like you, advocating for it, and getting others to advocate for it. The squeaky wheel gets the grease!

**Senate bills had a better chance of making it to the Governor's desk**, probably because of the bigger majority Democrats have in the Senate. With only a few votes to spare in the House, passing bills is much more difficult for the majority party Democrats. The Senate sent 110 bills to the Governor (16% of the bills introduced); the House sent 85 bills to the Governor (10% of the bills introduced).

**The Governor signed all but one of the 196 bills sent to him** – he vetoed a bill dealing with senior judges and judicial appointments (SF 2343). He also line item vetoed sections of several other bills. A line item veto is when the Governor takes out sections of a budget bill, but signs the rest. These line item vetoes were pretty insignificant this year and did not impact disability-related funding.

**You can view all of these 196 bills sent to the Governor here:** <http://coolice.legis.state.ia.us/Cool-ICE/default.asp?Category=BillInfo&Service=Enrolled&year=2010>. The status and effective date are listed, and you can click on the bill number to view the actual text of the bill. Enrolled bills (bills that are sent to the Governor) look different than the ones you might have read during the legislative session, because they are in their final format and have spaces for the signatures of President of the Senate, Speaker of the House, Chief Clerk, and the Governor.

# Funding Remains Tight in Upcoming Fiscal Year

The Governor signed the \$5.3 billion state budget into law on April 29 and approved borrowing another \$150 million for projects that stimulate the economy and create jobs.

The budget for mental health and disability services remains tight, and people depending on state and county funded services are most likely going to feel the pinch next year. Here are a few highlights that impact services to persons with disabilities:

## Governor (continued from page 3)

community based, and residential enrollment has declined over the years. Lawmakers have asked the Board of Regents to review the need for a residential program at the school, and make recommendations on closing or moving the residential program. In addition, DHS was directed to review and modify MHI services as needed to make sure they are cost effective. DHS is to consider, as part of the review, 16-bed options that meet Medicaid requirements. Minnesota used these 16-bed facilities (which can receive federal Medicaid match) to help move people out of and eventually close state institutions. (HF 2526)

- ☑ **Counties will know sooner how much money the state plans to give them for its share of the mental health and disability services system.** The Legislature will now be required to set allowed growth in the first 30 days of the legislative session, much like what is required for schools. (HF 2531)
- ☑ **More reviews of the Mental Health and Disability Services (MH/DS) system will occur this summer, but they are more focused than before.** DHS is to convene a workgroup to review various regulatory requirements for providers of MH/DS services paid by Medicaid. Iowa's Developmental Disabilities Council was directed to facilitate a stakeholders workgroup to review residential care facilities in the state and the services provided by them. (HF 2526)
- ☑ **Medicaid waiver programs will receive just under \$2 million in extra one-time funds to reduce waiting list next year.** This money is only available for next year, so legislators will face the challenge in the 2011 session to find money to replace it.
- ☑ **MH/MR/DD State Cases got a bump in funding this year as well, thanks to an extra \$2 million.** Half of that increase comes from \$1 million in one-time funds, so this funding will also need to be replaced next year if legislators want to continue it. Legislators also helped out the state cases program for the current fiscal year (FY 2010) by using the remaining risk pool funds (about \$1.5 million) to help address the immediate need for state cases funding. State cases funding pays for services to people who do not have a county of legal settlement.
- ☑ **Funding for the MH/MR/DD county-based system will be scarce for another year,** as legislators skipped adding allowed growth funds for a second year in a row. Allowed growth funding was to cover the costs of new people being served, and cost of living adjustments for providers. Even in good budget years, legislators have not appropriated enough to pay for both pieces of the allowed growth equation. Funding for the fiscal year that begins on July 1 will be \$48 million instead of the \$62 million expected. Legislators say that counties have additional federal Medicaid funds that will help keep things afloat for a year; counties say it may help keep services stable, but that nearly \$40 million will be needed to fill the hole once the federal funding goes away.
- ☑ **Counties will be out \$7.2 million in MH/MR/DD services funding this year,** because legislators shorted the MH/MR/DD property tax relief fund by that amount. Counties are required by law to reduce property taxes used for MH/MR/DD funds by \$89 million

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## Funding (continued from page 4)

statewide, but legislators only gave them \$81 million this year to replace those funds. That means counties will have to shift money from their services funds to pay for property tax relief. These funds will not go to services, but to pay for reducing property owners' taxes. The Legislature allowed counties to make up this underfunding with other funds so that services are not impacted, but many counties do not have money sitting around to do this.

- ☑ **Iowans with disabilities that own homes will get their full property tax credit for this year and next year.** The Elderly & Disabled Property Tax Credit, which reduces the amount of property taxes paid by older homeowners and homeowners with disabilities, was cut this year when the Governor made his 10% across-the-board cut. Legislators made sure this money was added back and the tax credit was fully funded. In addition, legislators made sure the property tax credit was fully funded for the next fiscal year, which begins July 1.
- ☑ **Services to persons with brain injuries will be unaffected by cuts,** as legislators added back the 10% across-the-board cuts made this year, and slightly increased funding (\$3,700 more) next year.
- ☑ **Services for children with disabilities provided through the PKU program and Child Health Specialty Clinics were preserved for the current year and next fiscal year.** The Governor's 10% across the board cuts were reinstated for these two programs, and legislators expanded funding for next year for both programs (\$25,000 more for PKU & \$15,000 more for the Clinics). All but \$5,000 of these funds are from one-time sources, so legislators will have to come up with new money next year to continue this increase into FY 2012.
- ☑ **Children will continue getting services from the Four Oaks Autism Spectrum Disorder Pilot Project, the Child at Home Program, and Day Care for Exceptional Children for another year, but funding beyond this is at risk.** The Legislature used one-time funds to pay for the autism pilot (\$25,000), child at home program (\$100,000) and day care (\$200,000). They will need to find new money
- to pay for these programs if they want to continue them in FY 2012.
- ☑ **Providers of habilitation and Medicaid waiver services will have access to new training opportunities,** thanks to a one-time appropriation of \$350,000.
- ☑ **Legislators upped their match for vocational rehabilitation services by \$500,000 next year,** so the state can get all of the federal matching funds available to the state. While these funds were restored, other programs like the Independent Living Program, Entrepreneurs with Disabilities Program, and Independent Living Center grants were cut by almost 4%.
- ☑ **The Newsline for the Blind will continue to provide news services to nearly 1,425 Iowans with sight impairments,** thanks to a "new" \$20,000 appropriation. Prior to 2008, this service received \$130,000 from the state.
- ☑ **Teens currently being served by ChildServe in Polk County may have continued access to services under a plan to build two new five-bed facilities for adults with disabilities that have significant medical needs.** These teens will turn 21 soon, and will no longer be eligible for services at ChildServe, but their needs continue and there is no alternative available at this time. Legislators appropriated \$250,000 to help pay for these new homes (which will be managed by Mainstream Living of Polk County).
- ☑ **Medicaid funding for next year depends on a lot of one-time funds, which means legislators will have a big budget hole to fill when they return in 2011.** Legislators used \$21.4 million from the Senior Living Trust, \$6.4 million from the nursing home quality assurance "provider tax," and \$187.8 million from the state's cash reserve fund. The budget also depends on the federal enhanced match continuing in FY 2011 (Congress has yet to

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## Funding (continued from page 5)

okay this) and a change in the Medicare prescription drug rules.

Right now, federal funding is keeping programs funded by the Health/Human Services Budget afloat, but once that money is gone the state will have one very large bill to fill. Counties will need at least \$30-40 million more to fill the hole, and state Medicaid may need as much as a half a billion dollars just to keep services at current levels.

💡 **If you are concerned about this, now is the time to start talking to the people running for federal, state, and county office.** Federal elected officials (Congress) are providing extra money to provide more Medicaid matching funds – they could continue to do this and help keep the state going for longer. State legislators and the Governor make decisions on how to spend money in the budget, and could make the decision to divert it from other areas to Medicaid and county MH/DS funding. They could also allow counties to raise their property taxes to fill the gap until the state can fully fund the system. Your county supervisors oversee the locally based MH/DS system, and decide how to spend those funds locally to serve people. As you can see, this is an issue that spans all levels of government.

💡 **Ask questions this election season, and demand answers.** The most important thing is to share your story, and what will happen if funding were pulled or services ended. Likewise, let them know what you could do if more money was available for services! What are you missing that could really help improve your quality of life? Speak up – you will be heard!

💡 **If you are nervous about where to begin, check in with ID Action.** Through our local Advocating for Change Campaign grant funds, we are providing resources to many local community groups to help local advocates join forces and advocate about these and other issues of importance. Call or email us to find out more – 888/432-2846 or [idaction.bwbhosting.com/idaction/CONTACTUS/tabid/275/Default.aspx](http://idaction.bwbhosting.com/idaction/CONTACTUS/tabid/275/Default.aspx).

## Advocacy Opportunity: Become a DD Council Member

The Iowa Developmental Disabilities Council is looking for new council members, and is now accepting applications for those interested in serving on the Council.

This year, the DD Council has several openings for people with developmental disabilities who are interested in advocating for systems change and increasing the number of Iowans with disabilities who actively participate in decision-making that affects their quality of life.

*Developmental disabilities means permanent disabilities acquired before the age of 22 that result in needs for assistance in three or more life areas, such as learning, living, working, caring for oneself, transportation. The Council's focus on systems change means that we often do not see immediate results. True systems change is incremental and takes long-term strategies that change people's awareness and attitudes. It also requires the development of grassroots interest groups that can effectively communicate with decision-makers about issues and solutions.*

The Council needs members who are tolerant of this systems change process and able to unselfishly represent Iowans with developmental disabilities. Council members are appointed by the Governor and must be able to commit time to prepare for and attend six, full-day Council meetings per year, and to engage in other Council related activities, such as policy related, educational, and outreach activities.

If you are interested, please complete the Boards & Commissions Resume Form available online at <http://openup.iowa.gov/bc-resume.pdf> or by calling the DD Council Office (800-452-1936).

**Your completed application form must be returned by May 21** to the Iowa Developmental Disabilities Council, 617 East 2nd Street Des Moines, IA 50309. Call us toll-free at the above number if you have any questions.

## Advocacy Opportunity: ID Action Focus Groups

ID Action is conducting a series of focus groups across the state to learn more about what Iowans with disabilities and their families need to become more active advocates for change. Each session will last 2 hours at the following locations:

### **DES MOINES - Wednesday, June 2**

Noon **AND** 3:00 p.m.

6:00 p.m. (NOTE: The 6 p.m. session is for parents of children with disabilities only.)

### **OMAHA - Monday, June 7**

Noon **AND** 3:00 p.m.

### **DAVENPORT - Thursday, June 10**

Noon **AND** 3:00 p.m.

If you are interested in participating in one of the focus groups or know someone that may be interested, you can submit a form by visiting [www.idaction.org](http://www.idaction.org) or by calling 1-866-432-2846.

Someone from the ID Action office will contact you and ask a few questions to make sure that each of the sessions includes participants who represent a variety of interests and backgrounds. Participants do not need to be ID Action registrants.

*Please share this information with family and friends who may be interested in participating.*

### **New Online Feature: Track Your Absentee Ballot**

The Secretary of State's office has a new feature that will allow you to track your absentee ballot – so you know where it is throughout the process.

Once you have submitted a request for an absentee ballot, you can track it online here: <https://www.sos.state.ia.us/elections/AbsenteeBallotStatus/search.aspx>.

## Advocacy Opportunity: Pick Your Candidate

That's right – by voting in the June 8 primary election, you have a chance to pick the candidate you like best to run on your party's ticket for Congress, Governor, state legislature, or any number of other state and local offices.

Many voters do not realize that the primary election is a very important part of the political process. Primaries are when your vote counts the most, because it gives you a chance to pick the person you think will represent you the most and who will be the best candidate in the November election. You may have heard people complain that they wish they had a better choice. It may even be the reason they choose not to vote in November, because they don't like their choices.

Primaries give voters this opportunity – to pick the candidate they think best represents their values best. For instance, three very different people want to be the Republican candidate for Governor in November (former Governor Terry Branstad, State Representative Rod Roberts, and businessman Bob Vander Plaats). Only one of them gets to be on the ballot in November. If you want to make sure you get to vote for one of them in the November election, then you need to make sure you vote on June 8.

**Here are a few Frequently Asked Questions about the primary election.** We hope they help answer your questions, and that you exercise your right to vote on June 8!

**What is a primary election?** A primary is different from a general election. A primary is an election to decide who will be on the ballot in the November election. In a primary, the members of a political party (Democrat or Republican) choose the candidate they think will best represent their positions in the November election. In a primary, candidates are nominated by a political party to represent them in the general election. In a general election, candidates are elected.

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## Pick Candidate (continued from page 7)

**Can independents vote in a primary election?** In Iowa, you must be registered as a Republican in order to vote in the Republican primary, and a Democrat to vote in the Democratic primary. If you are an independent or a member of another political party, you can still vote in one of these primaries, but you have to change your party affiliation when you go to vote (you can then change it back right after voting if you want). You can change your party affiliation as much as you want. For instance, if you are a Democrat, but would like to help choose the Republican candidate for Governor, you can vote in the Republican primary by going to the polls on June 8, and asking to change your party affiliation to Republican. Just call the county auditor to change it back (you'll be sent a form to fill out because they need your signature to change it back).

**When is the primary election this year?** The primary election is Tuesday, June 8. Call your county auditor for your polling location (also on your voter registration card).

**Do I need to be registered to vote?** Yes. If you are not registered to vote, contact your county auditor or ID Action (888/432-2846) or you can register at the polls on Election Day. You can find links to registration and absentee ballot forms, voting locations, and county auditor contact information on our website: [www.infonetiowa.com](http://www.infonetiowa.com)

**Can you vote by absentee during a primary?** Yes, just call your county auditor to get an absentee ballot. You can also vote in your county auditor's office starting May 4 (you vote your absentee ballot right there). If you are not yet registered to vote, you can register in your county auditor's office, and then vote your absentee ballot right there. See the next story for more opportunities to vote early.

**Is the primary a caucus?** Iowa does use a caucus process to select candidates for President, but they do not use this for other elections. The primary election on June 8 will be just like any other election. You will be given a ballot to vote (or you can use the accessible machines).

**Where can I find more information?** You can find a lot of information at [www.infonetiowa.com](http://www.infonetiowa.com) (go to "Advocate" and "Elections & Voting") or at the Secretary of State's website: <http://www.sos.state.ia.us/elections/voterinformation/primary2010.html>. You can also find a candidate list on this site.

Don't complain after the fact about your lack of choice in November. Vote in the June 8 primary and do something about it!

## VOTE TIPS: REGISTRATION

In Iowa, you must be a registered voter if you want to vote. To pre-register, print off the voter registration form and return it to your county auditor's office.

**You may fill out the form yourself or ask someone to help you fill it out** – but you must sign the form. If you are not physically able to sign it, you can use a rubber stamp or mark you use regularly. You may also ask someone to sign your name as long as the person is with you when signing and does so at your request.

**To find out if you are registered to vote:** [www.sos.state.ia.us/elections/voterreg/regto/vote/search.aspx](http://www.sos.state.ia.us/elections/voterreg/regto/vote/search.aspx) or call your county auditor.

**To pre-register, your county auditor must have your registration form in hand 10 days before the election** (May 29 for the primary). When you pre-register, your name will be on the list at your polling place, allowing you to sign in and vote quickly.

**If you do not pre-register to vote, you may register to vote on Election Day** at the polling place in the precinct where you currently live. You will need to bring proof of where you live, and proof of who you are.

**Proof of identity** must have an expiration date and photo (Iowa or out of state driver's license or non-driver ID card, U.S. passport, U.S. military ID, ID card issued by your employer, and Student ID issued by an Iowa high school or college). **Proof of residency** must have your name and current address (residential lease, utility/cell phone bill, bank statement, paycheck, government check, other government document).





## We Need YOUR Ideas!

It's our annual reader survey time -  
let us know how we're doing!

We consistently receive high marks from our readers, but we know there is always room for improvement.

Every year we get great ideas from our surveys that make *infoNET* more readable and useful to readers like you. Reader ideas led us to develop the bill tracking system that gives you real-time access to information on bills of interest, a new Facebook page that provides you with instant access to current information, and lists of public forums that gives you more opportunities to advocate locally.

**Please take a few minutes today to fill out and return (postage paid!) the enclosed reader survey.** Just fill it out, put it in the enclosed envelope, and drop it in the mail. If you prefer to fill it out online, you can do it from our website at: [www.infonetiowa.com](http://www.infonetiowa.com).

To sweeten the deal, those who fill out this survey will be entered to win one of three \$25 gift certificates! So fill out the survey and return it today – maybe you'll get lucky!

## We're on Facebook!

Get breaking news, learn of opportunities to advocate over the summer, & talk to other advocates - friend us on Facebook.

Just search "infonet" at [www.facebook.com](http://www.facebook.com)

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## Looking Forward to the Fall Elections

*By Melissa Mulliken, Iowa Disability Vote Alliance Coordinator*

As President Obama's recent visit to Iowa reminded us, the elections are coming up quickly and once again, Iowa is an important state on the national political scene.

**The Iowa Disability Vote Alliance, ID Action's non-partisan vote project, is gearing up for our get-out-the-vote (GOTV) initiative,** which is designed to increase the number of Iowans with disabilities voting.

In the low-profile November 2009 City and School Elections, for example, the Vote Alliance increased turnout by 3% among unlikely voters in Dallas and Polk County (an "unlikely" voter is someone that does not vote that often). Of all ID Action registrants in those counties, 12% went to the polls.

For the upcoming June primary, the Vote Alliance sent questionnaires focused on disability issues to all the announced candidates for Governor. We'll post those questionnaires on our website at [www.idaction.com](http://www.idaction.com). And, our potential voters will all get a GOTV phone call close to the June 8 primary, reminding them to vote.

To learn more about the Vote Alliance and what your organization or group can do to get involved, contact Rik Shannon at [rshanno1@dhs.state.ia.us](mailto:rshanno1@dhs.state.ia.us).

**Your US Representative is:**  
[US Representative]

**Your State Representative is:**  
[Representative]  
Home: [IAHouseHomePhone]  
Email: [IAHouseEmail]

**Your State Senator is:**  
[Senator]

Home: [IASenateHomePhone]  
Email: [IASenateEmail]

[FirstName] [LastName] OR CURRENT RESIDENT  
[ADDRESS]  
[Address2]  
[City], [State] [Zip]-[Zip4]

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# infoNET

*infoNET* is a free publication of Iowa's Developmental Disabilities Council and ID Action, and is written and produced by Amy Campbell & Craig Patterson of Campbell/Patterson Consulting LLP. Please contact us to change your address, receive *infoNET* by e-mail, add a friend to our list, or leave us a comment/suggestion.

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**ID Action**  
**PO Box 71369**  
**Des Moines, Iowa 50325**  
866/432-2846  
[www.idaction.org](http://www.idaction.org);  
[www.infonetiowa.com](http://www.infonetiowa.com)